

JAN 13 2020

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

JULIA C. DUDLEY, CLERK
By: *A Seagle*
DEPUTY CLERK

UNITED STATES OF AMERICA,)	
)	
)	Case No. 4:18-cr-00012
)	
v.)	
)	
DASHAWN ANTHONY, <u>et al.</u> ,)	
)	By: Michael F. Urbanski
Defendants.)	United States District Judge

SEVENTH AMENDED SCHEDULING ORDER*

In order to protect the rights of the parties and ensure the timely and efficient trial of this large, complex criminal case, the following pretrial deadlines are established:

1. This case is set for trial for four weeks to begin on August 24, 2020 in the first floor courtroom in Roanoke.
2. The government shall substantially complete all pretrial discovery by February 1, 2020.
3. The government shall identify its case-in-chief trial witnesses by February 1, 2020.
4. The government shall designate any expert witnesses to be called in its case-in-chief by January 31, 2020.
5. The government shall provide digital copies of its trial exhibits to the clerk and defense counsel by January 31, 2020. The court will employ the electronic JERS jury evidence system in this case. The parties must utilize the JERS exhibit naming protocol in this case. To

*** Changes to the dates and deadlines are bolded.**

maximize the jury's use of the JERS system, the parties should give each exhibit a title that will allow the jury to readily identify it on the JERS menu.

6. The defendants shall file any objections as to the authenticity, foundation, and completeness of the government's trial exhibits by February 28, 2020.

7. The defendants shall designate any expert witnesses to be called in their case-in-chief by March 16, 2020.

8. The government shall file its proposed jury instructions and verdict form by March 31, 2020.

9. The defendants shall file any objections to the government's proposed jury instructions and verdict form by April 30, 2020.

10. The government shall provide any notice under Fed. R. Evid. 404(b) by March 31, 2020.

11. The court will conduct pretrial hearings on the following dates and times in the first floor courtroom in Roanoke:

- a. **Friday, March 6, 2020 at 2 p.m.** At this hearing, the court will address any suggested changes to the jury questionnaire used in the companion Marcus Davis case, and objections as to the authenticity, foundation, and completeness of the government's trial exhibits and other pretrial matters noticed by the parties, including Facebook and other electronic evidence. Pursuant to Fed. R. Crim. P. 12(c)(3), absent good cause, the court will not address pretrial any other any objections as to the authenticity, foundation, and completeness of the government's trial exhibits after this hearing.

- b. Friday, May 15, 2020 at 10 a.m. At this hearing, the court will address objections to the proposed jury instructions and verdict form, any objections to or suggested changes to the toolmark identification evidence order entered in the Marcus Davis case, any motions to suppress, Fed. R. Evid. 404(b) issues, any motions regarding the defendants' expert witnesses, and other pretrial matters noticed by the parties. Pursuant to Fed. R. Crim. P. 12(c)(3), absent good cause, the court will not address pretrial any other any motions to suppress after this hearing.
- c. Friday, June 12, 2020 at 10 a.m. At this hearing, the court will address any other motions in limine and other pretrial matters noticed by the parties. Pursuant to Fed. R. Crim. P. 12(c)(3), absent good cause, the court will not address pretrial any other motions in limine after this hearing.
- d. Friday, July 31, 2020 at 10 a.m. At this hearing, the court will address other pretrial matters noticed by the parties.
- e. Friday, August 14, 2020 at 10 a.m. Final Pretrial Conference.

12. All pretrial motions shall be filed by the parties no later than twenty-one (21) days before the date set for hearing, pursuant to Fed. R. Crim. P. 12(c)(1). A motion must state the grounds on which it is based and the relief or order sought. Motions raising questions of law must be supported by legal memoranda filed contemporaneously therewith.

13. A party opposing a pretrial motion shall file its response and legal memorandum no later than fourteen (14) days after the corresponding deadline for filing of the motion.

14. Should the parties wish to address any issues regarding the schedule of this case, they should contact the court's Courtroom Deputy Clerk Kristin Ayersman at Kristina@vawd.uscourts.gov, (540) 857-5153. Any other matters needing the court's attention may be directed to the court's Law Clerk Zach Adorno at zach_adorno@vawd.uscourts.gov, (540) 857-5124.

It is so **ORDERED**.

Entered: *JANUARY 13, 2020*
/s/ Michael F. Urbanski

Michael F. Urbanski
Chief United States District Judge